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April 24, 2023

VIA ECF

Hon. Colleen McMahon
United States Magistrate Judge
Southern District of New York
500 Pearl St.
New York, NY 10007-1312

4/26/2023
60 day extension to answer
granted. Conferece adjourned
until

Re: Oscar Perez and Daniel Benavides v. City of New York, et.al.
1:23-cv-00447-CM-RL

7/13/2023 at 11:45 am.

Dear Judge McMahon:

MEMO ENCLOSED

Colleen McMahon

I am an Assistant Corporation Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and attorney for the defendants The City of New York, the New York City Police Department, and Police Commissioner Keechant Sewell (collectively "City Defendants").

I write, in accordance with Your Honor's Individual Rules, to respectfully request that City Defendants be granted a sixty-day (60) extension of time to respond and to adjourn the initial pre-trial conference by sixty (60) days, from April 27, 2023 to June 27, 2023, or a date thereafter for the conference that is convenient to the Court. This case was filed by the plaintiff on January 18, 2023 and the City of New York was served on April 6, 2023. The additional time is needed to investigate the allegations, determine if service was effected on all individual defendants, make representation decisions, and prepare a proper response. Plaintiff's counsel consents to this extension and adjournment of sixty (60) days. Although no representation decisions have been made between this Office and the additional named defendants, and therefore for no appearance is being made on behalf of those persons, City Defendants request that the Court *sua sponte* similarly extend the time for these putative defendants to respond, so that all responses are due on the same date, June 27, 2023. This is the first request for an extension of time in this Court.

I thank the Court for considering this request.

Respectfully submitted,

Cc: Thomas Gambino by ECF

/s/ *Donald C. Sullivan*

Donald C. Sullivan
Assistant Corporation Counsel